

**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Monday, October 17, 2016**

OPEN SESSION

(All times are approximate and subject to change.)
http://www.cdcr.ca.gov/BOPH/meeting_agenda.html

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

START TIME: 1:00 p.m.

AGENDA

MEETING CALLED TO ORDER

1. Roll Call

CONSENT CALENDAR

2. Approval of the Draft Minutes from the September 19 and 20, 2016 Board of Parole Hearings Executive Board Meeting.
3. Approval of the Parole Suitability Hearings and Backlog Report for October 2016.
4. Approval of Motions for Hearings with Procedural Errors – No motions to consider.
5. Public Comment on Consent Calendar – Comments are limited to five minutes. Items on the consent calendar are considered routine and non-controversial. All matters are approved by one motion unless a Board Member requests separate action

REPORTS AND PRESENTATIONS

6. Report from Executive Officer
 - Three Judge Court Monthly Status Report
 - Stakeholders Conference Call on October 3, 2016
7. Report from Chief Counsel
 - Litigation Update
 - Youth Offender Regulations
8. Report from Chief Deputy of Program Operations
 - Completion of Inmate Panel Attorney Orientations
 - Update on Hearing Notices
 - Central File Review Pilot Project
9. Report from Chief Deputy of Field Operations
 - Completion of Mentally Disordered Offenders (MDO) Independent Evaluator Orientations

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (916) 445-6631 or (916) 323-7997, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.

10. Report from Chief Psychologist, Forensic Assessment Division
 - Risk Assessment Workload Update
11. Report from Chief Administrator, Offender Investigations and Screening Division
 - Departure of Ted Rich, Parole Agent III, and Aldo Jimenez, Parole Agent II

PRESENTATIONS

12. Update on Division of Rehabilitative Programs, presented by Jay Virbel, Director, CDCR Division of Rehabilitative Programs
13. Youth Offender, presented by Elizabeth Calvin, Senior Advocate, Children's Rights Division, Human Rights Watch, and Heidi Rummel, Clinical Professor of Law and Director, Post-Conviction Justice Project, USC Gould School of Law

OPEN COMMENTS

14. BPH Commissioners – Agenda Items for Future Meetings
15. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. However, the Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

MEETING RECESSED TO TUESDAY, OCTOBER 18, 2016

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Monday, October 17, 2016**

CLOSED SESSION

(All times are approximate and subject to change.)

1515 K Street
Executive Board Conference Room
Sacramento, California 95814

START TIME: 3:30 p.m.

DISCUSSION

Consideration of Matters Posing a Threat or Potential Threat of Criminal Activity

Pursuant to Government Code section 11126(c)(18)

(A Board may meet in closed session to consider matters posing a threat or potential threat of criminal activity against the personnel, property, buildings, facilities, or equipment, including electronic data, where disclosure of these considerations could compromise or impede safety or security.)

Issue

- Litigation, Safety, and Security of Institutions, presented by Kathleen Allison, Director, CDCR Division of Adult Institutions

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, October 18, 2016**

OPEN SESSION

(All times are approximate and subject to change.)

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

START TIME: 10:00 a.m.

AGENDA

MEETING RECONVENED (Continued from October 17, 2016)

16. Roll Call

EN BANC REFERRALS

17. Referral pursuant to Penal Code section 1170(e) to determine eligibility for recommendation to sentencing court for recall of sentence. Members of the public may address the Board for a period not to exceed five (5) minutes.

A. NAPOLI, ANTHONY C-67486
Sentencing Court:
Riverside

B. TALAMANTEZ, ROBERT D-74324
Sentencing Court:
Fresno

18. Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, title 15, section 2044(b) to request review of a parole decision by the full board. Members of the public may address the Board for a period not to exceed five (5) minutes.

C. BRIGIDA, STEVEN D-92269
Sentencing Courts:
Los Angeles

D. JAMES, PATRICK T-48309
Sentencing Court:
Riverside

OPEN COMMENTS

19. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. However, the Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

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The decisions in the above hearings will be posted as soon as they are finalized in the lobby on the ground floor of 1515 K Street. They will also be posted within 24 hours on the BPH internet page at the following address: www.cdcr.ca.gov/BOPH/enbanc.html.

CLOSED SESSION – EN BANC REFERRALS

Pursuant to Government Code section 11126(c)(4)

("...[N]or shall anything in this article be construed to prevent a state body from holding a closed session when considering and acting upon the determination of a term, parole, or release of any individual or other disposition of an individual case, or if public disclosure of the subjects under discussion nor consideration is expressly prohibited by statute.")

MEETING RECESSED TO WEDNESDAY, OCTOBER 19, 2016

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, October 18, 2016**

CLOSED SESSION

(All times are approximate and subject to change.)

1515 K Street
Executive Board Conference Room
Sacramento, California 95814

START TIME: 1:00 p.m.

DISCUSSION

Consideration of Matters Posing a Threat or Potential Threat of Criminal Activity

Pursuant to Government Code section 11126(c)(18)

(A Board may meet in closed session to consider matters posing a threat or potential threat of criminal activity against the personnel, property, buildings, facilities, or equipment, including electronic data, where disclosure of these considerations could compromise or impede safety or security.)

Issues

- RAP Sheets, presented by Kevin Pool, Parole Agent III, BPH
- Update on *Ashker* Settlement Agreement and Overview of Restricted Custody General Population Housing Unit, presented by Melissa Bentz, CDCR Attorney

Overview of Pending Litigation and Writs of Habeas Corpus

Pursuant to Government Code section 11126(e)(1)

(Nothing in this article shall be construed to prevent a state body, based on the advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.)

Issue

- *Coleman/Plata v. Brown* (E.D. Cal., Case No. 2:90-CV-0520 LKK JFRM P and N.D. Cal., Case No. C01-1351 THE)(pending), presented by Jennifer Shaffer, Executive Officer, and Jennifer Neill, Chief Counsel

Overview of Facts and Circumstances with Significant Exposure to Litigation

Pursuant to Government Code section 11126(e)(2)(B)(i)

(For purposes of this subdivision, litigation shall be considered pending when any of the following circumstances exist: A point has been reached where, in the opinion of the state body on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the state body.)

Issue

- Youth Offenders and the Great Weight Standard, presented by Jennifer Shaffer, Executive Officer, and Jennifer Neill, Chief Counsel

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Wednesday, October 19, 2016**

OPEN SESSION

(All times are approximate and subject to change.)

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

START TIME: 9:00 a.m.

AGENDA

MEETING RECONVENED (Continued from October 18, 2016)

20. Roll Call

PRESENTATIONS

- 21. The Neurobiology of Violent Behavior
Candice Skrapec, Ph.D., Department of Criminology, CSU Fresno
- 22. Outcome Evaluation Report and the PEW Results First Initiative
Denise Allen, Chief of Research, CDCR Office of Research

OPEN COMMENTS

- 23. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. However, the Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

LUNCH BREAK

START TIME: 1:30 p.m.

PRESENTATIONS

- 24. Eye Witness Identification
Peter English, Ph.D., Associate Professor, Department of Criminology, CSU Fresno

OPEN COMMENTS

- 25. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. However, the Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

MEETING RECESSED TO THURSDAY, OCTOBER 20, 2016

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Thursday, October 20, 2016**

OPEN SESSION

(All times are approximate and subject to change.)

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

START TIME: 9:00 a.m.

AGENDA

MEETING RECONVENED (Continued from October 19, 2016)

26. Roll Call

PRESENTATIONS

27. Suicide Awareness

Rosanna Rodriguez, Statewide Peer Support Program Manager, CDCR Office of Employee Health and Wellness

28. Intimate Partner Battering

Jim Logsdon, BPH Attorney, and Tammy Jones, BPH Parole Agent III and Senior Investigator

OPEN COMMENTS

29. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. However, the Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

ADJOURNMENT

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Thursday, October 20, 2016**

CLOSED SESSION

(All times are approximate and subject to change.)

1515 K Street
Executive Board Conference Room
Sacramento, California 95814

START TIME: 11:00 a.m.

DISCUSSION

Overview of Pending Litigation and Writs of Habeas Corpus

Pursuant to Government Code section 11126(e)(1)

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Issue

- Update on Pending Litigation, presented by the Attorney General's Office

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